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Sent: Friday, August 13, 2010 11:39 AM
To: Water Use Efficiency
Cc: Frame, Kent; cchorneau@ccp.csus.edu
Subject: Wine Institute Comments on 7-26-10 Process Water Calculation Draft
Attachments: Wine Institute Process Water Comments (7-26-10 Draft).pdf

Please see attached.

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Wine Institute Comments on “Draft: Determination and Deduction methodology of process water from the gross water use calculation 7-26-10.”

“Applicability” Section:

- Item (1) – the 10% figure appears to be arbitrary. From a customer stand-point, all process water should be excluded from the calculation of gross water use. At a minimum, water suppliers should be given the option to choose a lesser figure as to what constitutes a “substantial percentage of industrial water use in its service area.” From our perspective, we believe process water should always be excluded from the gross water calculation, regardless of the percentage use it constitutes in the water supplier’s service area – to do otherwise would inevitably lead to a “disproportionate burden” being placed upon other customer sectors to meet water conservation targets as subdivision (d) of Water Code Section 10608.26 expressly prohibits suppliers from requiring reductions in process water use. We would also be concerned if a percentage threshold is chosen based on how many suppliers qualify for it. The method of determining ‘substantial percentage’ should be based on what is actually substantial, and we agree with comments of others to the effect that if a supplier is willing to quantify its industrial water deliveries and the amount of those deliveries that are process water, than that is a substantial percentage.
- Item (2) - the “disproportionate burden” consideration, should not be a “condition” for whether the process water exclusion applies – it is a rationale for doing so as provided by subdivision (e) of Water Code Section 10608.22. In other words, the statute does not require a finding that there is a “disproportionate burden” before a supplier can choose to exclude process water.
- Item (3) – all industrial water deliveries should be eligible for consideration, not just those to existing water customers at the time of target setting. The operative language in the statute for excluding process water from the gross water calculation makes no distinction between existing and future customers (subdivision (e) of Water Code Section 10608.22).
- Item (4) – it should be noted that there are multiple means by which process water may be verifiably quantified (as can be further clarified in the “Quantification and verification” section of the Draft).

“Example” Section:

- In general, it may make sense to move this portion of the Draft to the end, under a separate section that addresses the definition of process water, or which includes definitions generally.
- Water used for manufacturing sanitation should be definitively considered process water. The Draft states merely that it “can” be considered.

“Quantification and verification” Section:

- Other means by which verification of process water can be achieved should specifically include calculation of incidental or process water uses based on system capacity and standard or actual usage rates, and similar methods of verifiable quantification.

“Existing Industries” Section:

- The section that states a local agency may consider requiring the use of water efficiency technologies, methodologies, and practices should be removed. It is beyond the scope of this regulatory proceeding, and directly contradicts the provision in paragraph (1) of subdivision (d) of Water Code Section 10608.26 which expressly prohibits suppliers from requiring reductions in process water use. We recommend that it be deleted.

“New & Retrofitted Industries” Section:

- This section should also encourage local agencies and water purveyors to encourage the adoption of industry-specific sustainability practices, in instances where industries in their jurisdictions have adopted such standards. (For example, the California Sustainable Winegrowing Alliance has adopted recommended practices related to, among many items, more efficient water use).

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